

REMARKS

Upon entry of this amendment, claims 1, 4, 5, 7-10, and 25 are pending in this application. Claims 1 and 25 have been amended while claims 11-24 have been cancelled without prejudice or disclaimer. The amended claim set is provided herewith.

Applicants assert that these amendments do not introduce new matter into the application. The amendment to claim 1 incorporates subject matter of previously pending claim 6. Furthermore, support for a signal generator being located within the satellite module is shown in FIG. 5, with reference to block 132, and with reference to the discussion at [0033] about the signal generator 132 as well as the discussions at [0037] regarding information about generating stimulation signals being sent to the satellite module where signal generator 132 is located and further at [0047] where a specific form of communicating such information about generating stimulation signals is disclosed. Regarding the amendment to claim 25, these leads are supported in various ways, such as leads 16 in FIG. 1, and such wiring illustrated in FIG. 5 between the switching module 122 and the electrodes 88.

Applicants request that such amendments be entered and considered after final in view of the similarity of the subject matter already presented by previously pending claim 6.

Restriction

Claims 1-10 and 25 are restricted into two Groups on the grounds that claim 25 is a different invention because it does not comprise leads from the satellite module to the tissue interaction elements while claim 1 does include such leads.

Response:

Without conceding to the correctness of that assertion, Applicants elect the group including claims 1-10 which the Examiner has proceeded to examine. However, Applicants have amended claim 25 to include such leads so that the basis for the restriction is no longer applicable. Applicants respectfully request that claim 25 be reinstated and examined.

102/103 Rejections

Claims 1, 6, and 8-10 are rejected under 35 USC 102(e) as being anticipated by US. Pat 7,286,878 to Stypulkowski, or in the alternative, under 35 USC 103(a) as being obvious over Stypulkowski. Claims 4, 5, and 7 are rejected under 35 USC 103(a) as being obvious over Stypulkowski. Applicants respectfully traverse these rejections to the extent they apply to the currently pending claims.

Response:

Claim 1

Claim 1 recites a system that comprises, among other things, a satellite module adapted for subcutaneous implantation coupled to said central control module by means of said first lead. Claim 1 further recites that the satellite module comprises, among other things, a processor coupled to said wireless receiver and configured to be coupled to the power source; ...a switching module coupled to said processor; ... a signal generator coupled to the switching module; ...wherein said processor is configured to receive said programming signals from said wireless receiver, to control the signal generator to generate stimulation signals, and to control said switching module to selectively distribute the generated stimulation signals or receive sensed signals to or from the plurality of second leads. Stypulkowski fails to disclose such recitations and furthermore, such recitations are not obvious over Stypulkowski.

Stypulkowski discloses the extension unit (EU 226) that receives stimulation pulses from the pulse generator (IPG 220). While the EU 226 includes wave shaping circuits, these circuit are not stimulation signal generators. To the contrary, these wave shaping circuits merely modify an existing stimulation signal from the IPG 220 to modify its voltage level, frequency, or polarity as is stated at Col. 4, lines 29-39. These wave shaping circuits do not generate the stimulation signal itself as the signal generator is located within the IPG 220. Therefore, these wave shaping circuits of Stypulkowski are not the signal generator that generates the stimulation signals as is recited in claim 1. It should be noted that previously pending claim 6 recited that the satellite module comprised a signal generator and while the Office Action said claim 6 was both anticipated by and rendered obvious by Stypulkowski,

there was no discussion of claim 6 and no discussion as to how a signal generator of a satellite module was being described in Stypulkowski. Thus, Stypulkowski fails to anticipate claim 1 and dependent claims 4, 5, and 7-10 for at least these reasons.

Furthermore, including a signal generator in the EU 226 is not obvious. The principle of operation of Stypulkowski is to transfer stimulation signals between the IPG 220 and EU 226 via the interconnection leads. Thus, the IPG 220 is not prepared to communicate programming signals to a processor of the EU 226 for the purposes of the generation of the signals. To the extent the IPG 220 communicates instructions to the EU 226, those instructions are for wave shaping of an existing signal output by the IPG 220 rather than signal creation at the EU 226. Thus, for at least these reasons, Stypulkowski fails to render claims 1, 4, 5, and 7-10 as being obvious.

In addition to the reasons above, Stypulkowski also fails to disclose other recitations of claim 1. For instance, claim 1 recites that the central control module comprises a housing configured to house the power source and then further recites that elements of the satellite module including the processor are coupled to the power source. Stypulkowski fails to show any such processor of the EU 226 being coupled to a power source housed by the IPG 220. To the contrary, Stypulkowski shows the controller of the EU 226 receiving its power from the battery 326 also present within the EU 226. This is contrary to the recitations of claim 1. Therefore, claim 1 is not anticipated by nor rendered obvious over Stypulkowski for at least these additional reasons.

Claim 25

Applicants assert that claim 25 should be reinstated for examination. Furthermore, Applicants assert that claim 25 is also not anticipated by nor rendered obvious over Stypulkowski. Similar to claim 1, claim 25 recites that the satellite control module is configured to generate and selectively route electrical signals to selected ones of the plurality of tissue-interactive elements in accordance with the programming signals received from the remote programmer. As discussed above in relation to claim 1, Stypulkowski fails to disclose signal generation within the EU 226 such that claim 25 is not anticipated by nor rendered obvious over Stypulkowski for at least these reasons.

Conclusion

In view of the foregoing amendments, Applicants respectfully request reconsideration and allowance of the claims as all rejections have been overcome. Early notice of allowability is kindly requested.

The Examiner is respectfully requested to contact the undersigned by telephone at 678.565.4748 with any questions or comments.

While no fees are believed due, please grant any extension of time, if necessary for entry of this paper, and charge any fee due for such extension or any other fee required in connection with this paper to Deposit Account No. 13-2546.

Respectfully submitted,

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